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August 14, 2024

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VIA ECF

Honorable Katherine Polk Failla
United States District Court
Southern District of New York
40 Foley Square, Room 2103
New York, NY 10007

MEMO ENDORSED

Re: Landmark American Insurance Co. v. Paris & Chaikin PLLC, et al.
Civil Action No.: 24-cv-3617-KPF

Dear Judge Failla:

We represent Plaintiff Landmark American Insurance Company (“Landmark”) in the above-referenced matter. In accordance with Your Honor’s Individual Rules of Practice in Civil Cases, we write to respectfully request that the Initial Pre-Trial Conference, which is currently scheduled for August 20, 2024, be adjourned *sine die*, in light of the Defendants’ failure to respond to the Complaint and the subsequent entry of default by the Clerk of the Court. (Doc. 17).

As Your Honor will recall, the Initial Pre-Trial Conference was adjourned from August 1, 2024 to August 20, 2024 to allow Defendants time to answer the Complaint and for the parties to meet and confer in accordance with Fed. R. Civ. P. 26(f). (Doc. 14). Landmark served Defendants with a copy of the Court’s Notice of the Initial Pre-Trial Conference (Doc. 9). Landmark also served Defendants with a copy of Landmark’s First Letter Motion to Adjourn the Initial Pre-Trial Conference, and with a copy of Your Honor’s Order adjourning the Initial Pre-Trial Conference to August 20.

To date, Defendants have not appeared in the case, answered the Complaint or requested an extension of time. Accordingly, pursuant to Fed. R. Civ. P. 55(a) and L.R. 55.1, the Clerk of the Court entered default against Defendants for failure to answer or otherwise defend. (Doc. 17). In accordance with L.R. 55.1, Landmark mailed the Request for Default, Declaration in Support and Clerk’s Certificate of Default to all Defendants on August 9, 2024 via certified mail. (Doc. 18).

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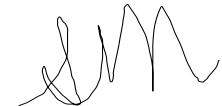
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Given the entry of default against the Defendants and in order to preserve judicial resources, Landmark respectfully requests that the Initial Pre-Trial Conference be adjourned *sine die*. If the Defendants do not appear or otherwise move to vacate the entry of default in the next thirty (30) days, Landmark will move by order to show cause for the entry of Default Judgment against Defendants in accordance with Your Honor's Individual Rules.

Respectfully submitted,

KAUFMAN BORGEEST & RYAN LLP



Patrick Stoltz
Sara M. Moriarty

cc: Defendants (Via Email)
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ichaikein@triallawgroup.com

Application GRANTED. Given the entry of default against the Defendants, the initial pre-trial conference currently scheduled for August 20, 2024, is hereby ADJOURNED *sine die*.

The Clerk of Court is directed to terminate the pending motion at docket number 19.

Dated: August 15, 2024
New York, New York

SO ORDERED.



HON. KATHERINE POLK FAILLA
UNITED STATES DISTRICT JUDGE